

**TOWN PLANNING BOARD**

**Minutes of 700<sup>th</sup> Meeting of the  
Rural and New Town Planning Committee held at 2:30 p.m. on 29.7.2022**

**Present**

Director of Planning  
Mr Ivan M.K. Chung

Chairman

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr K.W. Leung

Professor John C.Y. Ng

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

Mr K.L. Wong

Chief Traffic Engineer/New Territories West,  
Transport Department  
Ms Carrie K.Y. Leung

Chief Engineer (Works), Home Affairs Department  
Mr Paul Y.K. Au

Principal Environmental Protection Officer (Strategic Assessment),  
Environmental Protection Department  
Mr Stanley C.F. Lau

Assistant Director/Regional 3,  
Lands Department  
Ms Jane K.C. Choi

Deputy Director of Planning/District  
Mr C.K. Yip

Secretary

**Absent with Apologies**

Mr Stephen L.H. Liu

Mr L.T. Kwok

Dr Jeanne C.Y. Ng

Dr Venus Y.H. Lun

**In Attendance**

Assistant Director of Planning/Board (Acting)  
Ms Johanna W.Y. Cheng

Assistant Town Planner/Town Planning Board  
Ms Charlotte O.C. Ko

**Agenda Item 1**

Confirmation of the Draft Minutes of the 699<sup>th</sup> RNTPC Meeting held on 15.7.2022

[Open Meeting]

1. The draft minutes of the 699<sup>th</sup> RNTPC meeting held on 15.7.2022 were confirmed without amendments.

**Agenda Item 2**

Matter Arising

[Open Meeting]

Report on Proposed Streamlining Arrangement for Consideration of Applications for Temporary Uses

2. The Secretary reported that following from Members' suggestion at the meeting held on 24.6.2022 regarding streamlining arrangement for consideration of applications for temporary uses, a set of draft selection criteria on 'streamlined applications' was proposed for agreement of the Committee. The proposed selection criteria were:

- (a) Planning Department (PlanD)'s recommendation: no objection/could be tolerated;
- (b) zoning: not within conservation-related zones e.g. "Green Belt", "Conservation Area", "Coastal Protection Area", "Other Specified Uses" for conservation;
- (c) proposed/applied uses: (i) shop and services, eating place, site office; (ii) hobby farm; (iii) private/public vehicle park; (iv) warehouse, storage (with cover), logistics centre, wholesale trade; and (v) open storage and port back-up uses in Category 1 or 2 areas under the Town Planning Board Guidelines No. 13F;
- (d) departmental comments: no adverse comments or the concerns of

bureaux/departments could be addressed;

- (e) previous application: no previously rejected application for same/similar use (excluding those with subsequent approval); and
- (f) public comment: no substantial adverse public comments.

3. Applications fulfilling all of the selection criteria ('streamlined applications') would be considered by the Committee in one group. Similar to the consideration of deferral and renewal applications, a summary table would be shown on the screen for Members' consideration at the meeting. While these 'streamlined applications' were relatively straightforward, if so wished, Members might consider any of such applications in more detail, and the respective officer of the PlanD would stand ready to answer questions that Members might have on the 'streamlined applications' prior to making a decision.

4. Members noted that Papers would still be prepared for all 'streamlined applications' following the current practice. In response to some Members' request, the Secretary said that a summary table of the 'streamlined applications' together with the Papers would be provided to Members before the meeting for Members' advance information and consideration. Background information of the application i.e. Application No., location, zoning, proposed/applied use, departmental comments, PlanD's views and number of public comments would be included in the summary table.

5. Members generally supported the proposed streamlining arrangement for consideration of applications for temporary uses as it could reduce the time of Members/PlanD officers in considering/presenting those relatively simple applications which would leave more time for Members to focus discussion on applications of a more complex nature.

6. A Member said that applications for New Territories Exempted Houses/Small House and animal boarding establishment (ABE) might be considered for inclusion as 'streamlined applications'. However, another Member was of the view that the proposed streamlined arrangement should only be for consideration of applications for temporary uses. The Secretary said that application for ABE use was not included as there might be more

environmental concerns of the proposed use.

7. A Member suggested to include additional background information of the application, including whether the proposed/applied uses involved filling of land/pond, and whether the site was subject to planning enforcement actions, in the summary table for better understanding of the existing site condition and history. The same Member also suggested that applications in already degraded site might be included in the selection criteria. Two Members raised concern that if the application involving degraded land could be considered under the streamlined approach, it might encourage 'destroy first, build later' activities. The Member also remarked that consideration of planning application by the Committee was separated from enforcement action by the Planning Authority. Another Member held the view that given the need to meet all selection criteria, it was unlikely that cases of concern as mentioned by some Members would be included as 'streamlined applications'. The Secretary said that for those applications involving 'destroy first, build later' activities, Government departments would likely have adverse comments and the criteria that there should be no adverse comments from government departments could not be met.

8. The Committee noted a Member's suggestion on addition of a remark on the site formation and construction programme of New Development Area projects to the summary table, where appropriate, to ensure that approval of the temporary uses would not pre-empt the long-term development of the area.

9. In response to a Member's enquiry on the definition of 'substantial public comments', the Secretary said that it was difficult to gauge by the number of public comments received, and any application which had received adverse public comments that were substantial and fundamental in nature could not meet the selection criterion.

10. In response to a Member's suggestions on adoption of a simplified paper format for the 'streamlined applications', the Chairman said that further simplification of the paper format for applications for temporary uses could be explored.

11. The Chairman summarized that Members generally agreed to the selection criteria for 'streamlined applications' to be considered in a group starting from the next meeting of the Committee on 12.8.2022. Where necessary, the selection criteria could be refined in future. The information on whether the proposed/applied use involved filling of

land/pond would be included in the summary table. The summary table would be provided to Members before the meeting.

## **Sai Kung and Islands District**

[Mr Raymond H.F. Au, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

### **Agenda Item 3**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/I-TCV/19                      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Residential (Group C) 2” Zone, Lots 1886 (Part) and 1890 (Part) in D.D.1 TC, Tung Chung Valley, Lantau Island  
  
(RNTPC Paper No. A/I-TCV/19)

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#### **Presentation and Question Sessions**

12.                      With the aid of some plans, Mr Raymond H.F. Au, STP/SKIs, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

13.                      Members had no question on the application.

#### **Deliberation Session**

14.                      After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    the submission of a revised drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.1.2023;

- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.4.2023;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations and water supplies proposal for firefighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (e) in relation to (d) above, the implementation of the fire service installations and water supplies proposal for firefighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2023;
- (f) if the above planning condition (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

15. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.



**Agenda Item 4**

**Section 16 Application**

[Open Meeting]

A/SK-TLS/59                      Proposed Public Utility Installation (Pole and LV Cable Laying) and associated Filling and Excavation of Land in “Conservation Area” Zone, Government Land in D.D. 228, Fei Ngo Shan Road, Sai Kung

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16.            The Secretary reported that the application was withdrawn by the applicant.

[The Chairman thanked Mr Raymond H.F. Au, STP/SKIs, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

**Sha Tin, Tai Po and North District**

[Mr Kevin K.W. Lau, Mr Harris K.C. Liu and Mr Tim T.Y. Fung, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.]

**Agenda Item 5**

**Section 16 Application**

[Open Meeting]

A/ST/1006                      Shop and Services in “Industrial” Zone, Workshop 8, Level 1, Wah Yiu Industrial Centre, Nos. 30-32 Au Pui Wan Street, Sha Tin  
(RNTPC Paper No. A/ST/1006)

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17.            The Secretary reported that the application site (the Site) was located in Sha Tin. The following Members had declared interests on the item:

Professor John C.Y. Ng       -    owning a flat in Sha Tin; and

Mr Vincent K.Y. Ho           -    co-owning with spouse a flat in Sha Tin.

18. The Committee noted that the applicant had requested deferment of consideration of the application. As the flats owned by Professor John C.Y. Ng and co-owned by Mr Vincent K.Y. Ho had no direct view of the Site, the Committee agreed that they could stay in the meeting.

19. The Committee noted that the applicants' representative requested on 21.7.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

20. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

## **Agenda Item 6**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/727                      Proposed House (New Territories Exempted House) in "Agriculture"  
Zone, Lot 1740 in D.D. 8, Chuen Shui Tseng, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/727)

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### **Presentation and Question Sessions**

21. With the aid of some plans, Mr Kevin K.W. Lau, STP/STN, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning

Department had no objection to the application.

22. In response to a Member's enquiry regarding the redevelopment application currently under processing by the Lands Department (LandsD) as set out in paragraph 9.1.1(c) of the Paper, Mr Kevin K.W. Lau, STP/STN, said that the application under processing by LandsD was for the same use at the application site and was submitted by the same applicant.

23. This Member further asked about the difference in considerations of planning applications for proposed house (New Territories Exempted House (NTEH)) and Small House from planning and land administration perspectives. Mr Kevin K.W. Lau, STP/STN, clarified that the current application was not for the development of Small Houses by indigenous villagers under the New Territories Small House Policy (the Policy). In considering planning applications for NTEH/Small House development, a host of criteria including land use compatibility and technical requirements would be considered in accordance with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories. The Chairman further remarked that for applications for Small House by indigenous villagers, the criteria relating to the extent of building footprint within the village 'environs' of a recognized village and availability of land to meet Small House demand within the "Village Type Development" zone would also be relevant. Ms Jane K.C. Choi, Assistant Director/Regional 3 of LandsD, further advised that under the Policy, Small House applications either involved Private Treaty Grant for Government land or Free Building Licence for private land. Generally speaking, NTEH development was exempted from requirement of building plan submission under the Buildings Ordinance. As such, building works for NTEH development under the Policy would be covered by issuance of certificates of exemption on works relating to site formation, building, and drainage respectively.

#### Deliberation Session

24. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 29.7.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

25. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/609 Proposed House (New Territories Exempted House - Small House) in “Village Type Development” and “Green Belt” Zones, Lot 990 S.C RP in D.D. 9, Nam Wa Po, Tai Po  
(RNTPC Paper No. A/NE-KLH/609)

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#### **Presentation and Question Sessions**

26. With the aid of some plans, Mr Harris K.C. Liu, STP/STN, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

27. Members had no question on the application.

#### **Deliberation Session**

28. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 29.7.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the submission and implementation of a drainage proposal to the satisfaction of

the Director of Drainage Services or of the TPB.”

29. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VIII of the Paper.

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting]

A/NE-PK/162           Renewal of Planning Approval for Temporary Animal Boarding Establishment and Ancillary Facilities for a Period of 3 Years in “Recreation” Zone, Lots 3252, 3262 (Part), 3263, 3264, 3265 S.A (Part) and 3265 S.B (Part) in D.D. 91 and Adjoining Government Land, On Po Tsuen, Sheung Shui  
(RNTPC Paper No. A/NE-PK/162)

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30. The Committee noted that the application was for renewal of a planning approval and the Planning Department had no objection to the application for a further period of three years based on the assessments set out in the Paper.

#### **Deliberation Session**

31. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 13.8.2022 to 12.8.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing boundary fence on the site shall be maintained at all times during the planning approval period;
- (c) the existing vegetation including trees, shrub and lawn on the site shall be

maintained at all times during the planning approval period;

- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period and rectify if they are found inadequate/ineffective during operation;
- (e) the existing fire services installations on the site shall be maintained at all times during the planning approval period; and
- (f) if any of the above planning condition (a), (b) (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

32. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

### **Agenda Items 9 to 14**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

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| A/NE-FTA/214 | Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 259 S.A in D.D. 52, Sheung Shui Wa Shan, Sheung Shui    |
| A/NE-FTA/215 | Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 259 S.B RP in D.D. 52, Sheung Shui Wa Shan, Sheung Shui |
| A/NE-FTA/216 | Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 259 S.E in D.D. 52, Sheung Shui Wa Shan, Sheung Shui    |

A/NE-FTA/217	Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 259 S.G RP in D.D. 52, Sheung Shui Wa Shan, Sheung Shui
A/NE-FTA/218	Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 259 S.H in D.D. 52, Sheung Shui Wa Shan, Sheung Shui
A/NE-FTA/219	Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 259 S.I in D.D. 52, Sheung Shui Wa Shan, Sheung Shui (RNTPC Paper No. A/NE-FTA/214 to 219)

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33. The Committee agreed that as the six applications for proposed house (New Territories Exempted House – Small House) were similar in nature and the application sites were located in close proximity to one another within the same “Agriculture” and “Village Type Development” zones, they could be considered together.

#### Presentation and Question Sessions

34. With the aid of some plans, Mr Tim T.Y. Fung, STP/STN, briefed Members on the background of the applications, the proposed uses, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department had no objection to the applications.

35. Members had no question on the applications.

#### Deliberation Session

36. After deliberation, the TPB decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 29.7.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following condition :

“the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

37. The Committee also agreed to advise each of the applicants to note the advisory clauses as set out at Appendix VII of the respective Papers.

### **Agenda Item 15**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/145            Proposed Temporary Private Vehicle Park (Private Car) for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 1406 S.A ss.1, 1406 S.A RP, 1406 S.B, 1406 S.C and 1406 RP in D.D. 39, Ma Tsuek Leng, Sha Tau Kok  
(RNTPC Paper No. A/NE-LK/145)

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#### **Presentation and Question Sessions**

38. With the aid of some plans, Mr Tim T.Y. Fung, STP/STN, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

39. A Member enquired about the use of the barren area south of the application site (the Site) as shown in the aerial photo on Plan A-3 of the Paper. In response, Mr Tim T.Y. Fung, STP/STN, said that the Site and area to the south were currently vacant and covered with grass according to the site photos on Plan A-4 of the Paper. The proposed development was considered not in line with the planning intention of the “Agriculture” zone. It was considered that provision of car park for local residents should better be confined to areas intended for development purposes such as those within the “Village Type Development” zone.

#### **Deliberation Session**



40. After deliberation, the Committee decided to reject the application. The reason was :

“the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention, even on a temporary basis.”

### **Agenda Item 16**

#### **Section 16 Application**

[Open Meeting]

A/NE-TKL/699 Temporary Training Centre for Construction Industry with Ancillary Office for a Period of 3 Years in “Agriculture” Zone, Lot 220 in D.D. 84, Ping Che, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/699)

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41. The Committee noted that the applicant’s representative requested on 19.7.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

42. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special

circumstances.

**Agenda Item 17**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKLN/45 Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of 3 Years in “Agriculture” and “Village Type Development” Zones, Lots 389 RP, 395 S.A, 395 RP, 396 S.A, 396 RP and 398 RP in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North  
(RNTPC Paper No. A/NE-TKLN/45)

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Presentation and Question Sessions

43. With the aid of some plans, Mr Tim T.Y. Fung, STP/STN, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

44. Two Members raised the following questions:

- (a) whether the hard paved area to the north of the application site (the Site) was zoned “Agriculture” (“AGR”); and
- (b) noting that the Site was located in between Lin Ma Hang Road and an existing nullah, whether the Site possessed potential for agricultural rehabilitation.

45. In response, Mr Tim T.Y. Fung, STP/STN, made the following main points:

- (a) the hard paved areas to the immediate north and further north of the Site as shown on Plan A-3 of the Paper were zoned “Village Type Development” (‘V’) and “Recreation” and were the subject of two previously approved planning applications for proposed temporary vehicle park; and

- (b) the Site was partly zoned “AGR” (about 60%) and partly zoned “V” (about 40%). It was located to the east of the Liantang/Heung Yuen Wai Boundary Control Point across Lin Ma Hang Road. The area zoned “AGR” was within a much larger stretch of land zoned “AGR”, and the Director of Agriculture, Fisheries and Conservation (DAFC) advised that agricultural activities were active in the vicinity and as agricultural infrastructures such as road access and water sources were available, the Site possessed potential for agricultural rehabilitation. According to the recent site inspection, those two approved temporary vehicle parks to the north of the Site were not operated. The Commissioner for Transport had reservation on the application as the applicant failed to substantiate the need for an additional vehicle park and failed to demonstrate that there was no adverse traffic impact.

#### Deliberation Session

46. A Member did not support the application having considered that the proposed use was not in line with the planning intention of the “AGR” zone and agreed with DAFC that sites with potential for agricultural rehabilitation should be retained.

47. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed use is not in line with the planning intentions of the “Agriculture” and “Village Type Development” zones which are primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes, and designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers respectively. There is no strong planning justification in the submission for a departure from such planning intentions, even on a temporary basis; and

- (b) the applicant fails to provide sufficient information in the submission to demonstrate that the proposed development will not cause adverse traffic impact on the surrounding areas.”

[The Chairman thanked Mr Kevin K.W. Lau, Mr Harris K.C. Liu and Mr Tim T.Y. Fung, STPs/STN, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

### **Fanling, Sheung Shui and Yuen Long East District**

[Ms S.H. Lam, Mr Wallace W.K. Tang and Ms Christine C.M. Cheung, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

### **Agenda Item 18**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/85                      Temporary Shop and Services (Convenience Store, Selling of Construction Materials and Showroom for Koi) and Office for a Period of 3 Years in “Agriculture” and “Other Specified Uses” annotated “Amenity Area” Zones, Lot 540 RP (Part) in D.D. 92 and Adjoining Government Land, Castle Peak Road, Kwu Tung, Sheung Shui  
(RNTPC Paper No. A/KTN/85A)

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48.                      The Secretary reported that the application site (the Site) was located in Kwu Tung North. Dr C.H. Hau had declared an interest on the item for owning a property in Kwu Tung North area.

49.                      As the property owned by Dr C.H. Hau had no direct view of the Site, the Committee agreed that he could stay in the meeting.

### Presentation and Question Sessions

50. With the aid of some plans, Ms S.H. Lam, STP/FSYLE, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of three years.

51. Members had no question on the application.

### Deliberation Session

52. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing drainage facilities on the site shall be properly maintained and rectified, if they are found inadequate/ineffective, at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.10.2022;
- (c) the submission of a proposal for fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (d) the provision of the fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2023;
- (e) if planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

- (f) if any of the above planning condition (b), (c) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

53. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/90                      Temporary Container Vehicle Park (including Light and Heavy Goods Vehicles) for a Period of 3 Years in “Residential (Group B)” Zone and area shown as ‘Road’, Lots 90 (Part), 91 (Part) and 94 S.A RP (Part) in D.D. 95 and Adjoining Government Land, Kwu Tung North  
(RNTPC Paper No. A/KTN/90)

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54. The Secretary reported that the application site (the Site) was located in Kwu Tung North. Dr C.H. Hau had declared an interest on the item for owning a property in Kwu Tung North area.

55. As the property owned by Dr C.H. Hau had no direct view of the Site, the Committee agreed that he could stay in the meeting.

#### **Presentation and Question Sessions**

56. With the aid of some plans, Ms S.H. Lam, STP/FSYLE, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of three years.

57. Members had no question on the application.

Deliberation Session

58. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the existing drainage facilities on the site shall be properly maintained and rectified, if they are found inadequate/ineffective, at all times during the planning approval period;
- (c) the submission of a condition record of the existing drainage facilities within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.10.2022;
- (d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2023;
- (f) if any of the above planning condition (a) or (b) is not complied with during the planning approval period, the approved hereby given shall cease to have effect and shall be revoked without further notice; and
- (g) if any of the above planning condition (c), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

59. The Committee also agreed to advise the applicant to note the advisory clauses as

set out at Appendix VI of the Paper.

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/841      Temporary Open Storage of Construction Materials and Office for a Period of 3 Years in “Other Specified Uses” annotated “Railway Reserve” Zone, Lot 4115 (Part) in D.D. 104, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/841)

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### **Presentation and Question Sessions**

60.      With the aid of some plans, Mr Wallace W.K. Tang, STP/FSYLE, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the proposed temporary use could be tolerated for a period of three years.

61.      Members had no question on the application.

### **Deliberation Session**

62.      After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b)    no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c)    no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the



planning approval period;

- (d) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.10.2022;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a revised fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (g) in relation to (f) above, the implementation of the revised fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2023;
- (h) if any of the above planning condition (a), (b), (c) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

63. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

**Agenda Item 21**

**Section 16 Application**

[Open Meeting]

A/YL-KTS/928

Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm and Fishing Ground), Barbecue Site and Education Centre with Ancillary Eating Place for a Period of 3 Years and Land Filling in “Agriculture” Zone, Lots 1013, 1014 RP (Part), 1015 S.A, 1015 S.B, 1015 RP (Part), 1018 (Part) and 1035 (Part) in D.D.113, Kam Tin, Yuen Long

(RNTPC Paper No. A/YL-KTS/928)

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64. The Committee noted that the applicants’ representative requested on 26.7.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

65. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 22**

**Section 16 Application**

[Open Meeting]

A/YL-KTS/929            Renewal of Planning Approval for Temporary Eating Place for a Period of 3 Years in “Residential (Group C)” Zone, Unit B2, The Richfield, 236 Kat Hing Wai, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/929)

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66.            The Committee noted that the application was for renewal of a planning approval and the Planning Department had no objection to the application for a further period of three years based on the assessments set out in the Paper.

**Deliberation Session**

67.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 2.11.2022 until 1.11.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    no operation between 9:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed at the premises during the planning approval period;
  
- (b)    the submission of records of the existing drainage facilities at the premises within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 2.2.2023;
  
- (c)    the existing drainage facilities at the premises shall be maintained at all times during the planning approval period;
  
- (d)    the existing fire service installations implemented on the premises shall be maintained in efficient working order at all times during the planning approval period;

- (e) if any of the above planning condition (a), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (f) if the above planning condition (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

68. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

### **Agenda Item 23**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/930 Proposed Temporary Holiday Camp with Ancillary Facilities for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lot 807 RP (Part) in D.D.103, Sze Pai Shek, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/930)

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#### **Presentation and Question Sessions**

69. With the aid of some plans, Mr Wallace W.K. Tang, STP/FSYLE, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the proposed temporary use could be tolerated for a period of three years.

70. Two Members raised the following questions:

- (a) existing condition of the application site (the Site);
- (b) details of the proposed filling of land; and

- (c) with regard to the recommended approval condition (g) as set out in paragraph 12.2 of the Paper, whether ‘reinstatement to an amenity area’ meant the Site would be vegetated.

71. In response, Mr Wallace W.K. Tang, STP/FSYLE, made the following main points:

- (a) with reference to Plan A-4 of the Paper, the Site was partly paved, overgrown with weeds/used for farming, and there was a greenhouse structure;
- (b) as shown on Drawing A-2 and Plan A-4 of the Paper, about 72m<sup>2</sup> of the Site (i.e. 11%) was proposed for filling of land by not more than 0.2m in depth for erection of a structure in the eastern portion of the Site (which was currently partly paved and partly overgrown with weeds); and
- (c) reinstatement of the Site to an amenity area required grassing/planting and removal of the filled materials.

#### Deliberation Session

72. A Member expressed support to include approval condition (g) requiring the applicant to reinstate the Site to an amenity area upon expiry of the planning permission. The Chairman said that the term ‘reinstatement to an amenity area’ used in the recommended approval condition (g) was also used in reinstatement notices for cases subject to planning enforcement.

73. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.1.2023;

- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.4.2023;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (e) if the above planning condition (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (f) if any of the above planning condition (a), (b) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (g) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

74. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

**Agenda Item 24**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/910            Temporary Open Storage of Construction Materials and Machineries for a Period of 3 Years in “Residential (Group D)” Zone, Lots 2902 (Part), 2905 (Part), 2909 (Part), 2910 (Part) and 2911 (Part) in D.D. 111, Wing Ning Lei, Wang Toi Shan, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/910A)

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**Presentation and Question Sessions**

75.            With the aid of some plans, Mr Wallace W.K. Tang, STP/FSYLE, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of three years.

76.            Two Members raised the following questions:

- (a)    noting in paragraph 6.1 of the Paper that the application site (the Site) was the subject of three previously approved applications (No. A/YL-PH/304, 789 and 810) which were submitted by different applicants, were revoked due to non-compliance with the approval conditions, whether there were difficulties to comply with those approval conditions; and
- (b)    whether shorter compliance periods should be given for such cases to better monitor the progress of compliance with approval conditions.

77.            In response, Mr Wallace W.K. Tang, STP/FSYLE said that the last application No. A/YL-PH/810 was revoked in 2021 due to non-compliance with approval conditions related to the submission of drainage proposal and implementation of drainage and fire service installations (FSIs) proposals. Under the current application, the applicant had submitted drainage and FSIs proposals for the development which were accepted by the Drainage Services Department and Fire Services Department. Relevant approval conditions

requiring the implementation of the accepted drainage and FSIs proposals were recommended and the respective compliance period had not been shortened.

78. The Chairman said that according to the latest Town Planning Board Guidelines No. 34D, should the applicant request for extension of time (EOT) for compliance with the time-limited planning conditions, EOT would normally not be granted if the total time period for compliance exceeded half of the duration of the temporary approval (i.e. 18 months for temporary approval of three years). If any time-limited planning condition was not complied with by the specified time limit, the planning permission would be revoked.

#### Deliberation Session

79. The Chairman remarked that the planning approval for the applied use was recommended for a period of three years. Upon approval of the current application, the applicant had to comply with the time-limited planning conditions including the implementation of the accepted drainage and FSIs proposals within six months, as well as the provision of fire extinguisher(s) within six weeks. A Member suggested that shorter compliance periods might be considered as the condition of FSIs involved fire safety concerns. Another Member opined that the recommended compliance periods for implementation of technical proposals were reasonable.

80. Members noted that the current application and the three previously approved but revoked applications were submitted by different applicants for the same applied use and the applied use at the Site was in operation without planning permission. In response to a Member's concerns regarding repeated revocations of planning permission due to non-compliance with the approval conditions, the Secretary said that, in general, for applications made by the same applicant involving three consecutive revocations, sympathetic consideration would not be given in accordance with the Board's established practice. As the current application was submitted by a different applicant for the same applied use with a slightly smaller site area, giving the applicant the benefit of doubt, the current application could be considered afresh.

81. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as



submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation between 1:00 p.m. and 5:00 p.m. on Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (e) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.1.2023;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.9.2022;
- (h) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (i) if any of the above planning condition (a), (b), (c), (d) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

- (j) if any of the above planning condition (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

82. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

### **Agenda Item 25**

#### **Section 16 Application**

[Open Meeting]

A/YL-PH/923                      Renewal of Planning Approval for Temporary Open Storage (Vehicles, Vehicle Parts and Construction Materials) for a Period of 3 Years in “Residential (Group D)” Zone, Various Lots in D.D. 111 and Adjoining Government Land, Wang Toi Shan, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/923)

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83. The Committee noted that the application was for renewal of a planning approval and the Planning Department considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in the Paper.

#### **Deliberation Session**

84. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 17.8.2022 until 16.8.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities shall be carried out on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of condition records of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.11.2022;
- (g) the implementation of the accepted fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.3.2023;
- (h) if any of the above planning condition (a), (b), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

85. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

**Agenda Item 26**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/329            Proposed Temporary Shop and Services (Retail Shop for Hardware Groceries) with Ancillary Facilities for a Period of 3 Years in “Open Space” Zone, Lot 29 in D.D. 101, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/329)

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86.            The Secretary reported that the application site (the Site) was located in Mai Po. Mr K.W. Leung had declared an interest on the item for owning a property in Mai Po area.

87.            As the property owned by Mr K.W. Leung had no direct view of the Site, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

88.            With the aid of some plans, Ms Christine C.M. Cheung, STP/FSYLE, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

89.            Members had no question on the application.

**Deliberation Session**

90.            After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    no operation between 6:30 p.m. and 8:30 a.m. daily, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b)    no workshop activities and no open storage use, as proposed by the

applicant, are allowed on the site at any time during the planning approval period;

- (c) no vehicle other than light goods vehicle, as proposed by the applicant, is allowed to access the site at all time during the planning approval period;
- (d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2023;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.1.2023;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.4.2023;
- (h) the implemented drainage facilities within the site shall be maintained at all times during the planning approval period;
- (i) if any of the above planning condition (a), (b), (c) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning condition (d), (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

91. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

**Agenda Item 27**

Section 16 Application

[Open Meeting]

A/YL-NTM/440 Proposed Temporary Open Storage for a Period of 3 Years and Filling of Land in “Green Belt” Zone, Lots 2273, 2277 and 2278 in D.D.102, Ki Lun Shan Tsuen, San Tin, Yuen Long

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92. The Secretary reported that the application was withdrawn by the applicant.

**Agenda Item 28**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-ST/622 Proposed Temporary Eating Place for a Period of 3 Years in “Village Type Development” Zone, Lots 3083, 3087 S.A, 3087 S.B, 3087 S.C, 3087 S.D, 3087 RP, 3088 S.A ss.1, 3088 S.A ss.2, 3088 S.A RP and 3088 RP in D.D. 102, Wing Ping Tsuen, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/622)

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Presentation and Question Sessions

93. With the aid of some plans, Ms Christine C.M. Cheung, STP/FSYLE, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

94. Members had no question on the application.

Deliberation Session

95. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 9:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.1.2023;
- (c) in relation to (b) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.4.2023;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 29.1.2023;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 29.4.2023;
- (g) if any of the above planning condition (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

96. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

### **Agenda Item 29**

#### **Section 16 Application**

[Open Meeting]

A/YL-ST/623                      Renewal of Planning Approval for Temporary Open Storage and Retail Sale of Construction Machinery for a Period of 3 Years in “Residential (Group D)” Zone, Lots 16 S.B ss.2 (Part), 16 S.B ss.3, 16 S.B RP (Part), 19 S.A and 19 RP (Part) in D.D. 105 and Adjoining Government Land, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/623)

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97. The Committee noted that the application was for renewal of a planning approval and the Planning Department considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in the Paper.

#### **Deliberation Session**

98. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 27.8.2022 to 26.8.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no washing, dismantling, repairing or workshop activity including metal cutting, drilling, hammering, paint spraying and oil/lubricant changing is



allowed on the site at any time during the planning approval period;

- (d) no vehicle is allowed to queue back to or reverse onto/from the site at any time during the planning approval period;
- (e) loading/unloading activity is only allowed within the site at all times during the planning approval period;
- (f) the boundary fencing on the site shall be maintained at all times during the planning approval period;
- (g) the existing fire services installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (h) the submission of photographic records of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 27.2.2023;
- (i) in relation to (h) above, the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (j) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g) or (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if the above planning condition (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

99. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

[The Chairman thanked Ms S.H. Lam, Mr Wallace W.K. Tang and Ms Christine C.M. Cheung, STPs/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at this point.]

### **Tuen Mun and Yuen Long West District**

[Ms Carol K.L. Kan, Mr Simon P.H. Chan, Ms Bonnie K.C. Lee, Mr Alexander W.Y. Mak and Mr Steven Y.H. Siu, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

### **Agenda Item 30**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/289                      Proposed Minor Relaxation of Building Height Restriction for Permitted Social Welfare Facility (Residential Care Home for the Elderly) and Proposed House Use with Conservation Proposal in "Government, Institution or Community (1)" Zone, Lots 1695 S.E ss.1 RP, 1695 S.F ss.1 and 1695 S.H RP (Part) in D.D. 120 and Adjoining Government Land, Tai Kei Leng, Yuen Long  
(RNTPC Paper No. A/YL/289)

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#### **Presentation and Question Sessions**

100.                      With the aid of a PowerPoint presentation, Ms Carol K.L. Kan, STP/TMYLW, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

101.                      The Chairman and some Members raised the following questions:

- (a) whether the public could access into the historic building 'Siu Lo' at the application site (the Site);
- (b) details of the design with the proposed Residential Care Home for the Elderly (RCHE) to cantilever over part of the annex block of 'Siu Lo' (Annex Block) as set out in paragraph 1.7 of the Paper;
- (c) details of planning and design merits of the proposal for minor relaxation of maximum building height (BH) in terms of greening proposals;
- (d) whether there was any established mechanism to guarantee preservation of 'Siu Lo' in the long term and what follow-up actions the applicant needed to take if the current application was approved; and
- (e) noting that the current proposal was to increase the maximum BH of 3 storeys under the Outline Zoning Plan (OZP) to 6 storeys (i.e. +100%), what the definition of minor relaxation of BH restriction was.

102. In response, Ms Carol K.L. Kan, STP/TMYLW, made the following main points:

- (a) according to the applicant, the proposed use of 'Siu Lo' as a house would minimize the need for extensive internal alteration and changes, and would best reflect its original house use, historical nature and appearances. The proposed house would not be opened to the public. The Commissioner for Heritage's Office (CHO) and Antiquities and Monuments Office (AMO) rendered in-principle support to the preservation-cum-development proposal for 'Siu Lo' from the heritage conservation perspective and considered that it had struck a proper balance to respect private property;
- (b) with reference to Drawing A-5 of the Paper, part of the proposed RCHE development (1/F and above) would cantilever over a portion of the Annex Block, and a vertical clear space ranging from 1.2m to 3.15m would be provided between the slanted roof of the Annex Block and the RCHE building to allow sufficient space for future maintenance of the Annex Block;

- (c) with reference to Drawings A-6 and A-7 of the Paper, a landscaped heritage garden was proposed at the entrance at the northeast of the Site facing Tai Tong Road that would be opened for public visit. There were previously three trees near the graded building, but the trees had been felled due to poor health conditions. AMO had no objection to the tree felling proposal from the perspective of impacts on the graded building. The applicant proposed to plant 11 new trees at the ground level of the proposed development, and at the heritage garden. Besides, provision of greenery at different levels of the RCHE building was proposed;
- (d) an approval condition for submission and implementation of a Conservation Management Plan for the conservation of the Main Building and the Annex Block of 'Siu Lo' was recommended. For any building works that might affect the privately-owned graded historic buildings, the CHO and AMO would be informed under the established monitoring mechanism and building works on the site was subject to approval by the Building Authority (who would seek comments from Lands Department (LandsD) and PlanD). Should the current application be approved, land exchange would be required to implement the proposal. Specific clauses regarding preservation of the graded building could be incorporated in the land lease taking into account the advices from relevant government departments, including CHO and AMO, where appropriate; and
- (e) minor relaxation applications were considered on a case-by-case basis. Having considered the compatibility with the surrounding areas, as well as planning/design merits of the current application, the proposed minor relaxation of BH from 3 storeys to 6 storeys (with an increase in BH of one storey, i.e. actual increase of 0.9m, as compared with the previously approved application No. A/YL/256) was considered not unreasonable.

103. The Secretary said that there was no rigid percentage to define 'minor relaxation' and such applications would be assessed taking into account the assessment criteria for consideration of minor relaxation of BH restriction in the relevant OZP including the design merits/planning gains. Each application would be considered on a case-by-case basis

subject to individual planning circumstances and merits and impacts of the proposal. For maximum BH for low-rise developments, such as the current case, the minor relaxation sought in percentage terms might appear higher, but the actual increase in the number of storeys, i.e. 3 storeys, was not significant. For the current application, Members might consider the merit of preserving 'Siu Lo' as well as compatibility in the local context.

#### Deliberation Session

104. The Chairman remarked that the Site was zoned "Government, Institution or Community(1)" which was subject to a maximum BH of 3 storeys excluding basement, whilst 'School' and 'Hospital' developments were subject to a maximum BH of 8 storeys. In that regard, the respective BH restrictions might be considered in keeping with the local environment. Compared with the previous application No. A/YL/256, the current proposal increased the BH from 5 storeys (plus one basement floor) to 6 storeys (without basement) with an increase in actual BH of 0.9m. The applicant still needed to undertake follow-up works to implement the proposal and PlanD would closely liaise with CHO/AMO so that Members' views would be conveyed and appropriately addressed by the applicant.

105. A Member considered that there was much scope for improving the landscape design of the proposed development and design compatibility with the historic building 'Siu Lo' to enhance the visual permeability. Another Member concurred and opined that the clearance between the proposed RCHE building and the pitched roof of the Annex Block was insufficient to provide a suitable setting for the historic building.

106. With regard to the above views/concerns, Members noted that the absolute BH of the proposed RCHE (22.5m) was close to the maximum BH of 24m stipulated in the Residential Care Homes (Elderly Persons) Regulation, which made it necessary to cantilever the proposed RCHE building above the Annex Block to attain the required gross floor area (GFA) for the RCHE. Members also noted that the applicant had considered demolishing the Annex Block but decided to preserve it in-situ to address CHO/AMO's comments.

107. Members generally appreciated the applicant's efforts in preserving 'Siu Lo' given that there was no mandatory requirement for preservation of privately-owned graded historic buildings under the existing mechanism. Members noted that the applicant considered that revising the proposed use from public gallery to house use could minimize

the need for extensive internal alteration and changes. In addition, according to the Heritage Appraisal submitted by the applicant, glazed doors/windows would be provided at certain spots to allow public visitors to view the internal area of the house (i.e. kitchen with brick stoves and chimneys that would be preserved) from the outside. Besides, information of the interior features of 'Siu Lo' and its Annex Block would be presented to visitors through the provision of virtual tours and display boards at the proposed landscaped heritage garden. Taking into account the above, the CHO and AMO had rendered in-principle support to the application from heritage conservation perspective.

108. In response to a Member's remark, the Secretary said that there was a similar application for preservation-cum development proposal of Maryknoll House in Stanley previously approved by the Metro Planning Committee in which only limited public access into the historic building and the site was proposed.

109. Two Members raised concerns on the effectiveness of the approval condition in relation to the submission and implementation of a Conservation Management Plan in preserving 'Siu Lo' in the long term. In response, Ms Jane K.C. Choi, Assistant Director/Regional 3 of LandsD, said that relevant clauses for preservation of graded historic buildings might be included in the land lease at the land exchange stage where appropriate, taking into account the advices from relevant government departments including CHO and AMO.

110. Two Members expressed views that the applicant might consider further increasing the GFA of the proposed RCHE development, which was at 5,400m<sup>2</sup>, to better utilize land resources. Ms Jane K.C. Choi, Assistant Director/Regional 3 of LandsD, said that the maximum limit of GFA for premium concession under the "Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments" was 5,400m<sup>2</sup>. In that connection, developers generally would achieve that target GFA for RCHE development in order to claim fully the premium concession.

111. A Member had some reservation on the application as it was considered that there were insufficient planning and design merits in terms of little proposed landscaping and limited clearance provided between the Annex Block. Other Members generally had no objection to the application and considered that preservation of 'Siu Lo' was a key planning merit of the current application. As regards some Members' concerns on the landscape

design of the proposal and design compatibility with the historic building 'Siu Lo', the Chairman suggested that suitable advisory clauses could be included. Members agreed.

112. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 29.7.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of a Conservation Management Plan for the conservation of the Main Building and the Annex Block of Siu Lo prior to commencement of any works to the satisfaction of the Antiquities and Monuments Office (AMO) or of the TPB;
- (b) the submission of a full set of photographic, cartographic and/or 3D scanning records of the Main Building and the Annex Block of Siu Lo prior to commencement of works to the satisfaction of the AMO or of the TPB;
- (c) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the submission of an updated noise impact assessment and provision of noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (e) the provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB.”

113. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper and the following additional advisory clauses:

- “(a) to improve the landscape design of the proposed development; and
- (b) to improve the design compatibility with the historic building 'Siu Lo' and

enhance the visual and physical permeability with the Annex Block of ‘Siu Lo’.”

[Dr C.H. Hau and Professor John C.Y. Ng left the meeting at this point.]

### **Agenda Item 31**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/381                      Temporary Public Vehicle Park (Excluding Container Vehicle) and Storage of Vehicle Parts for a Period of 3 Years in “Village Type Development”, “Open Space” and “Other Specified Uses” annotated “Enterprise and Technology Park” Zones, Lots 1225 (Part) and 1226 RP (Part) in D.D. 124, San Sang Tsuen, Tin Ha Road, Hung Shui Kiu, Yuen Long  
(RNTPC Paper No. A/HSK/381)

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#### **Presentation and Question Sessions**

114.            With the aid of some plans, Mr Simon P.H. Chan, STP/TMYLW, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of three years.

115.            Members had no question on the application.

#### **Deliberation Session**

116.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :



- “(a) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (b) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.10.2022;
- (c) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (d) in relation to (c) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2023;
- (e) if the above planning condition (a) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (f) if any of the above planning condition (b), (c) or (d) is not complied with by the above specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

117. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

**Agenda Item 32**

**Section 16 Application**

[Open Meeting]

A/TM-SKW/115      Proposed Temporary Shop and Services for a Period of 3 Years in  
“Village Type Development” Zone, Lot 240 S.B. (Part) in D.D.385, So  
Kwun Wat, Tuen Mun  
(RNTPC Paper No. A/TM-SKW/115)

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118.            The Committee noted that the applicant’s representative requested on 14.7.2022 deferment of consideration of the application for two months so as to allow more time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

119.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 33**

**Section 16 Application**

[Open Meeting]

A/YL-LFS/427           Renewal of Planning Approval for Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lots 2888 RP (Part) and 2889 RP (Part) in D.D. 129, Sha Kong Wai, Lau Fau Shan, Yuen Long (RNTPC Paper No. A/YL-LFS/427)

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120.           The Committee noted that the application was for renewal of a planning approval and the Planning Department had no objection to the application for a further period of three years based on the assessments set out in the Paper.

**Deliberation Session**

121.           After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 17.8.2022 until 16.8.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicles without valid licences issued under the Road Traffic Ordinance are allowed to be parked/stored on the site at any time during the planning approval period;
- (b) no medium and heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a condition record of the existing drainage facilities on

the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.11.2022;

- (e) the submission of a fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2023;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.5.2023;
- (g) if any of the above planning condition (a), (b) or (c) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

122. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PN/67                      Temporary Place of Recreation, Sports or Culture (Fishing Ground) for a Period of 3 Years in “Coastal Protection Area” Zone, Lot 93 (Part) in D.D.135, Sheung Pak Nai, Yuen Long  
(RNTPC Paper No. A/YL-PN/67)

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Presentation and Question Sessions

123. With the aid of some plans, Ms Bonnie K.C. Lee, STP/TMYLW, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of three years.

124. Members had no question on the application.

### Deliberation Session

125. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB).

126. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

[Mrs Vivian K.F. Cheung left the meeting at this point.]

## **Agenda Item 35**

### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/660            Proposed Temporary Public Vehicle Park for Private Cars and Medium Goods Vehicles for a Period of 3 Years in “Comprehensive Development Area” Zone, Lots 692 (Part), 693 (Part), 694 (Part), 695 (Part), 697 (Part), 698 (Part), 897 (Part), 898 (Part), 900 (Part), 901 (Part), 942 (Part), 943 (Part), 944 and 946 (Part) in D.D. 122, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/660A)

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Presentation and Question Sessions

127. With the aid of some plans, Mr Alexander W.Y. Mak, STP/TMYLW, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

128. Members had no question on the application.

#### Deliberation Session

129. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 10:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) only private car and medium goods vehicles (not more than 24 tonnes) as defined in the Road Traffic Ordinance are allowed to enter/be parked on the site, as proposed by the applicant, at all times during the planning approval period;
- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.1.2023;
- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the

Director of Drainage Services or of the TPB by 29.4.2023;

- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2023;
- (j) if any of the above planning condition (a), (b), (c), (d) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

130. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

**Agenda Item 36**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PS/662            Proposed Temporary Logistics Centre for a Period of 3 Years in  
                                 “Comprehensive Development Area” Zone, Lots 688, 689 (Part), 690  
                                 (Part), 691 (Part), 692 (Part), 693 (Part), 694 (Part), 695 (Part), 756  
                                 (Part), 757 (Part), 758 (Part) and 947 (Part) in D.D. 122, Ping Shan,  
                                 Yuen Long  
                                 (RNTPC Paper No. A/YL-PS/662A)

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**Presentation and Question Sessions**

131.            With the aid of some plans, Mr Alexander W.Y. Mak, STP/TMYLW, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the proposed temporary use could be tolerated for a period of three years.

132.            Members had no question on the application.

**Deliberation Session**

133.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)    no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
  
- (b)    no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
  
- (c)    the submission of a drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or



of the TPB by 29.1.2023;

- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.4.2023;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2023;
- (h) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

134. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

**Agenda Item 37**

**Section 16 Application**

[Open Meeting]

A/YL-PS/663                      Renewal of Planning Approval for Temporary Rural Communal Public Vehicle Park for Private Cars, 5.5 Tonnes Goods Vehicles, Coaches and 24 Tonnes Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lots 429, 430 (Part), 431 (Part), 436 (Part), 437 (Part), 438 S.A, 438 RP (Part), 446 (Part), 447 (Part) and 449 RP (Part) in D.D. 122, Hang Mei Tsuen, Ping Shan, Yuen Long  
(RNTPC Paper No. A/YL-PS/663)

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135.            The Committee noted that the application was for renewal of a planning approval and the Planning Department had no objection to the application for a further period of three years based on the assessments set out in the Paper.

**Deliberation Session**

136.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 30.7.2022 to 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 11:00 p.m. and 7:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, during

the planning approval period;

- (d) no vehicle without valid licence issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (e) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 30.10.2022;
- (h) if any of the above planning condition (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

137. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TM-LTY Y/425 Proposed Temporary Place of Recreation, Sports or Culture (Indoor Recreation Centre) for a Period of 3 Years in “Residential (Group D)” Zone, Lots 2382 (Part), 2383 (Part) and 2384 (Part) in D.D.130 and Adjoining Government Land, Tsoi Yuen Tsuen, Tuen Mun  
(RNTPC Paper No. A/TM-LTY Y/425A)

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#### **Presentation and Question Sessions**

138. With the aid of some plans, Mr Alexander W.Y. Mak, STP/TMYLW, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

139. Members had no question on the application.

#### **Deliberation Session**

140. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.1.2023;
- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.4.2023;
- (c) in relation to (b) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;

- (d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2023;
- (f) if the above planning condition (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

141. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

### **Agenda Item 39**

#### **Section 16 Application**

[Open Meeting]

A/YL-TT/557      Renewal of Planning Approval for Temporary Shop and Services (Local Provisions Store with Ancillary Storage and Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lots 266 RP (Part) and 268 (Part) in D.D. 117 and Adjoining Government Land, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/557)

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142. The Committee noted that the application was for renewal of a planning approval and the Planning Department had no objection to the application for a further period of three years based on the assessments set out in the Paper.

Deliberation Session

143. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 30.7.2022 to 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing trees on the site shall be maintained at all times during the approval period;
- (b) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (c) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 30.10.2022;
- (d) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (e) if any of the above planning condition (a), (b) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (f) if the above planning condition (c) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

144. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

**Agenda Item 40**

**Section 16 Application**

[Open Meeting]

A/YL-TT/558           Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” Zone, Lot 1293 RP (Part) in D.D. 117, Kiu Hing Road, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/558)

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145.           The Committee noted that the application was for renewal of a planning approval and the Planning Department had no objection to the application for a further period of three years based on the assessments set out in the Paper.

**Deliberation Session**

146.           After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 17.8.2022 to 16.8.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a)   the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
  
- (b)   the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.11.2022;
  
- (c)   the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
  
- (d)   if any of the above planning condition (a) or (c) is not complied with during

the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

- (e) if the above planning condition (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

147. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

### **Agenda Item 41**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1161 Temporary Public Vehicle Park for Private Cars and Light Goods Vehicles for a Period of 3 Years in “Village Type Development” Zone, Lots 2461 (Part), 2462 RP (Part) and 2464 RP in D.D. 120 and Adjoining Government Land, Lam Hau Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1161)

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#### **Presentation and Question Sessions**

148. With the aid of some plans, Mr Steven Y.H. Siu, STP/TMYLW, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

149. Members had no question on the application.

#### **Deliberation Session**

150. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :



- “(a) no vehicle without valid licences issued under the Road Traffic Ordinance is allowed to be parked/stored on the site, as proposed by the applicant, at any time during the planning approval period;
- (b) no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.10.2022;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.4.2023;
- (g) if any of the above planning condition (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

151. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

## **Agenda Item 42**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1163 Temporary Animal Boarding Establishment (Dog Kennel cum Dog Recreation Centre) for a Period of 3 Years in “Residential (Group D)” Zone, Various Lots in D.D. 121 and Adjoining Government Land, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1163)

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### **Presentation and Question Sessions**

152. With the aid of some plans, Mr Steven Y.H. Siu, STP/TMYLW, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of three years.

153. Members had no question on the application.

### **Deliberation Session**

154. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 29.7.2025 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) all dogs shall be kept inside enclosed structures with soundproofing materials, mechanical ventilation and air-conditioning system, as proposed by the applicant, at all times during the planning approval period;
- (b) no whistle blowing and no public announcement system, portable

loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;

- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.10.2022;
- (e) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (f) if any of the above planning condition (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

155. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

**Agenda Items 43, 44 and 45**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1162 Temporary Warehouse for Storage of Advertising Material, Construction Material, Electronic Goods and Household Product for a Period of 3 Years in “Residential (Group A) 3” Zone and area shown as ‘Road’, Lots 1399 (Part), 1401 S.A to S.D (Part), 1402 (Part) and 1403 (Part) in D.D. 119, Kung Um Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1162)

A/YL-TYST/1164 Temporary Warehouse for Storage of Electronic Goods for a Period of 3 Years in “Residential (Group A) 3” and “Open Space” Zones, Lots 1402 (Part), 1487 (Part), 1488 S.A (Part), 1488 RP (Part) and 1489 (Part) in D.D. 119, Kung Um Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1164)

A/YL-TYST/1167 Temporary Warehouse for Storage of Construction Materials with Ancillary Workshop and Site Office for a Period of 3 Years in “Undetermined” Zone, Lots 1018 S.B, 1156, 1157 S.A, 1157 S.B and 1158 S.A & B in D.D. 119, Kung Um Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1167)

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156. The Committee agreed that as the three s.16 applications for temporary warehouse for storage of various uses for a period of three years were similar in nature and the application sites were located in close proximity to one another within “Residential (Group A)3”, “Open Space” and/or “Undetermined” zones and area shown as ‘Road’, they could be considered together.

**Presentation and Question Sessions**

157. With the aid of some plans, Mr Steven Y.H. Siu, STP/TMYLW, briefed Members on the background of the applications, the applied uses, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The

Planning Department considered that the temporary uses could be tolerated for a period of three years.

158. Members had no question on the applications.

#### Deliberation Session

159. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of 3 years until 29.7.2025, each on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions :

#### Application No. A/YL-TYST/1162

- “(a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.1.2023;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (f) if any of the above planning condition (a), (b) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

- (g) if any of the above planning condition (c) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

Application No. A/YL-TYST/1164

- “(a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the implementation of the accepted drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.1.2023;
- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (f) if any of the above planning condition (a), (b) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (c) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

Application No. A/YL-TYST/1167

- “(a) no operation between 6:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 29.10.2022;
- (e) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023;
- (f) if any of the above planning condition (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

160. The Committee also agreed to advise each of the applicants to note the advisory clauses as set out at Appendix IV of the respective Papers.

[The Chairman thanked Ms Carol K.L. Kan, Mr Simon P.H. Chan, Ms Bonnie K.C. Lee, Mr Alexander W.Y. Mak and Mr Steven Y.H. Siu, STPs/TMYLW, for their attendance to answer Members' enquiries. They left the meeting at this point.]

**Agenda Item 46**

Any Other Business

Section 16A Application

[Open Meeting]

A/YL-KTN/756-3      Application for Extension of Time for Compliance with Planning Conditions, Lot 1025 RP in D.D.109, Kam Tin North, Yuen Long  
(RNTPC Paper No. A/ YL-KTN/756-3)

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161.            The Secretary reported that application No. A/YL-KTN/756 was approved with conditions by the Committee on 16.4.2021 for a period of three years. An application for extension of time for compliance with approval conditions (e), (g) and (j) until 16.10.2022 was received by the Town Planning Board on 15.7.2022, which was only one working day before the expiry of the specified time limit (i.e. 16.7.2022) for those approval conditions. The deadline for compliance with conditions (e), (g) and (j) expired on 16.7.2022 and the subject planning approval ceased to have effect and was revoked on the same date.

162.            After deliberation, the Committee agreed not to consider the section 16A application as the planning permission was no longer valid at the time of consideration.

163.            There being no other business, the meeting closed at 5:50 p.m..